

APPLICATION DENIED

Although the Court is sympathetic to the reasons why Mr. Delorenzo wishes to be released, having reviewed defense counsel's letter, the government's letter, and the pretrial services report dated 8/14/2020, the Court concludes that defendant remains a danger to the community as well as a flight risk. The crime charged here, to which defendant has said he intends to plead guilty, involved an attempted armed robbery of a victim inside the victim's home, during which the victim was shot. As a result, defendant is facing a lengthy prison sentence. Moreover, he has three prior felony convictions, including for robbery and selling drugs; has been the subject of several bench warrants; and has had probation or parole revoked at least twice; and the instant offense was committed a few months after he completed his most recent term of parole.

VIA ECF

March 3,

Hon. Vin

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SO ORDERED:



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Vincent L. Briccetti, U.S.D.J. 3/9/2021

re: USA v. Frank Delorenzo; 20 Cr. 327 (VB)

Dear Judge Briccetti:

My client, Frank Delorenzo, has been in remand status since his arrest on May 27, 2020. He is charged with Hobbs Act Robbery Conspiracy, Attempted Hobbs Act Robbery and a 924(c) Firearms offense. On August 14, 2020 Magistrate Judge Davison denied his application for bail on the basis of danger to the community. He is presently being held at the Westchester County jail.

Defendant and the Government have negotiated an acceptable plea agreement and Mr. Delorenzo is scheduled to plead guilty on March 15, 2021, pursuant to a plea agreement, to a single Hobbs Act Robbery Conspiracy count in violation of 18 USC 1951 to satisfy this indictment. The plea agreement indicates an advisory Guidelines range of 130-162 months. The charge itself does not carry a mandatory minimum sentence of imprisonment and calls for a sentence up to a maximum term of 20 years.

My client, mindful of the potential sentence he is facing, is requesting permission to be temporarily released from custody for a short period of time, if only for several days, to enable him to visit with his grandparents, John Webster and Yvonne Webster. He is close to his grandparents and both are elderly and in poor health. His grandfather is 84, suffered a recent stroke and has heart disease. His grandmother is 80 with COPD and high blood pressure. He is concerned that because of their age and frail medical condition this may be his last opportunity to visit with them in person.

If the Court grants this application Mr. Delorenzo will remain at the home of his mother, Doreen Delorenzo, at 1142 Route 17A, Greenwood Lake, New York. His mother who works as a dental assistant is willing to co-sign a bond and other financially responsible co-signers can be produced if required. Also, Mr. Delorenzo is agreeable to comply with any conditions of temporary release including home detention and electronic monitoring. Again, he is only seeking release for several days. I discussed this potential application with AUSA Lindsey

Keenan, and the Government has advised that it will oppose this application.

I will be available to provide any additional information the court may require to consider this application.

Respectfully submitted,

/S/ Joseph A. Vita

Joseph A. Vita

cc: AUSA Lindsey Keenan